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A 49] MYSORE EXCISE DEPARTMENT.

APPENDIX A.

LICENSE GRANTED TO ARRACK VEND FARMERS IN THE DISTRICT OF .....

No.....

Under the provisions of the Excise Regulation V of 1901.....
.....
Deputy Commissioner of the .....
District, hereby appoint you,.....
son of .....
residing at .....
to be the renter of the exclusive privilege of selling Arrack in the vend farm of.....
..... in the Taluk of .....
in the District of..... from the 1st day of July 190 , to the 30th day of June 190 , subject to the following conditions and stipulations to be observed by you, the said.....

CONDITIONS.

1. The exclusive privilege shall extend to the sale of arrack ordinarily of 20° under-proof, and, with the special permission of the Deputy Commissioner or other Officer authorized by him, to the sale of 30° under-proof ; but shall not include their manufacture, nor the manufacture or sale of foreign spirits and foreign fermented liquors, or of double-distilled or rectified country spirits and other special liquors of whatever strength, manufactured at the Government Central Distillery, Bangalore, or of country beer, or any beverage other than the authorized arrack.

2. (1) This license is not transferable by sale, gift, mortgage or otherwise, and no persons except such as are named herein shall have power to act under it. The resignation of the license in whole or in part shall be summarily rejected by the Deputy Commissioner.

(2) The marginally noted amount for which the privilege has been purchased, shall be payable by you into the local Government Treasuries on printed challans furnished for the purpose by Government, in equal monthly instalments commencing from 1st July 190 ; each instalment shall be regarded as the rent for the month in respect of which it is payable. Each month's rent shall be payable on or before the 20th of the same month. If default is made, the Amildar may, with the sanction of the Deputy Commissioner, declare by record in writing that the license is forfeited and proceed to resell the farm as soon after the last day of the month as may be possible. Provided however, that instead of reselling the farm as above, the Deputy Commissioner may, in his discretion, direct the Amildar to break up a defaulting farm into the existing number of shops within it, and to give each separate shop-keeper a license for the rent he agrees to pay, provided the total of such rents is not less than what the defaulting farmer had agreed to pay.

(3) The deposit made by you shall be taken in payment of the instalments due in the last two months of the period of the farm. Provided, however, that where the farm is resold or broken up under the provisions of sub-clause (2) above, the deposit shall, at the discretion of the Deputy Commissioner, be either forfeited or be appropriated towards the arrears due by the defaulter, as well as towards the deficits, if any, arising from the resale of the farm. The balance of such arrears and deficits, if any, shall be recoverable from the licensee under the rules in force for the recovery of arrears of land revenue. No remission or abatement of the rent or compensation shall, on any account whatever, be claimable by you. Interest at 6 per cent per annum shall be recoverable on all arrears from the date of default, and on deficits from the date of resale.

3. You shall purchase the arrack for issue to your shop-keepers from the Government Manufacturer or from any Bonded Depot established under the sanction of Government. The rates to be charged by the Manufacturer for arrack supplied by him are as under per Imperial gallon :—

	Rs.	a.	p.
For arrack of 20° under-proof			
For arrack of lower strengths, proportionately according to Casella's rules.			

4. The above rates are in addition to Excise duty, which shall be prepaid to Government at Rs. $4\frac{3}{4}$ per Imperial gallon of 20° under-proof, before the removal of the arrack from the Distillery or from any Bonded Depot established under the sanction of Government, and proportionately on arrack of lower strengths.

5. Excise duty shall be prepaid by you into the local Government Treasury; but if you obtain arrack from a Bonded Depot, both the duty and price of arrack shall be paid into the local Taluk Treasury.

6. In the Bangalore District you shall maintain at a place or places within your farm, under the approval of the Deputy Commissioner, a Depot or Depots to which all arrack purchased by you shall be conveyed, in the first instance, for verification of the consignment by a Government Officer before issue to the shop-keepers, under the rules in force. Depots shall at all times be open to inspection by the Deputy Commissioner or any subordinate whom he may depute for the purpose, or by any Excise Officer. No such Depot shall be opened without a license from the Deputy Commissioner. But in the Districts where Bonded Depots have been established under the sanction of Government, you need not open your own Depot, but you shall deposit your supplies of arrack in the Bonded Depot to which your farm is attached, for issue to your shops. Provided however that, in the event of your prepaying the duty and price of the *whole* contents of any cash received from the Distillery you will be at liberty to distribute the whole quantity at once to your shops, or to remove it in your own vessels to any Depot which you may open within your farm under the Deputy Commissioner's license, and issue therefrom the requisite supplies to your shops. You will be bound to keep in Depots such stock of arrack as may be ordered by the Excise Commissioner.

7. The Deputy Commissioner or any Officer of the Excise Department not below the rank of Assistant Commissioner may direct the destruction of arrack in your Depots or shops, which he may consider unfit for consumption or use.

8. You shall not mix with the arrack to be issued to your shop-keepers any ingredients noxious to health.

9. (1) The arrack supplied by you to your shop-keepers, or sold from, or kept for supply or sale at, your Depot or Bonded Depot, shall be ordinarily of the strength of 20° under-proof; and arrack shall not be supplied or kept or sold by you or by your shop-keepers at any other strength without special permission. For sales of arrack of lower strength than 20° under-proof, the special orders of the Deputy Commissioner shall be obtained. No water or other beverage or liquor other than arrack, of any quantity whatever, shall be kept in your Depot or in the shops in which arrack is sold, or on the person or in possession of the license-holder or vendor, or any employee in the shops.

(2) With the consignment of arrack from the Distillery or Bonded Depot to Farm Depots as well as with those from Farm Depots or Bonded Depots to shops, sample bottles shall be taken in such manner as may be ordered by the Excise Commissioner. The arrack kept in Farm Depots or issued therefrom to shops, as well as the arrack kept in shops or sold therefrom to the public, shall be of the same quality and strength as issued from the Distillery or Bonded Depot, and shall not be adulterated or diluted in any manner whatever.

10. You shall keep true accounts of the quantity and strength of the arrack purchased by you and issued to shop-keepers. Such accounts shall be produced when required for inspection by the Deputy Commissioner or by any officer appointed by

him or by any Excise Officer; and you shall be bound to furnish, or cause to be furnished such information or returns as may be required by the Deputy Commissioner from time to time regarding the consumption of arrack within your farm, or relating in any way to your management as a renter. The sales of arrack of lower strengths than 20° under-proof shall be accounted for separately in the prescribed form.

11. Arrack shall not be sold except in shops duly sanctioned and licensed by the Deputy Commissioner; and no additional shops shall be opened without the previous sanction of the Excise Commissioner. You will be at liberty to select your shop-keepers, and will be allowed to establish as many shops as the Deputy Commissioner may consider necessary for the supply of your farm.

12. The Deputy Commissioner may whenever he thinks fit, direct shops to be closed, or permit transfer of shops from one place to another, or direct new shops to be opened with the previous sanction of the Excise Commissioner. You shall be bound to maintain such supply of arrack as the Deputy Commissioner may consider sufficient to meet local requirements in all sanctioned shops.

13. Each shop-keeper shall place the license granted to him in a conspicuous place in his shop.

14. A sign-board shall be fixed in a conspicuous part of the front of each shop, containing in the vernacular of the district, the name of the shop-keeper and the number of his license.

15. The shop-keepers shall prevent all drunkenness or disorder or gaming within their shops.

16. No shop shall be opened before sunrise.

17. Shops shall be closed by 9 o'clock P. M., unless the Deputy Commissioner, for special reasons, shall, generally or specially, authorize the keeping open of particular shops to a late hour.

18. The shop-keepers shall not harbour robbers or thieves or riotous persons, but, on the contrary, shall give intimation to the nearest Magistrate or Police Officer as to any such persons who may resort to their shops.

19. The shop-keepers shall not receive any grain, jewels, goods, wearing apparel or other article in barter or in pawn for arrack; but, on the offer of any such, shall give information to the nearest Magistrate or Police Officer.

20. No shop-keeper shall allow any quantity of arrack exceeding one reputed quart bottle to be removed by any individual from the shop on any pretence whatever without a valid permit, on which arrack up to one imperial quart bottle only may be removed by respectable persons.

21. You shall provide yourself and your shop-keepers with printed forms of permits for transport and possession of arrack. Such permits shall be in the form prescribed in the Excise Department, and shall be purchased from the local Excise Officer. You shall have no other pecuniary dealings with any Excise Officer.

22. At every shop for the sale of arrack, there shall be kept a true and correct account showing the quantity and strength of the arrack received therein, the quantity and strength of the arrack sold, the prices at which it is sold and the quantity and strength of the arrack remaining unsold each day. Such accounts shall be in the prescribed form, and shall be produced for the inspection of the Deputy Commissioner or of any Officer appointed by him for the purpose of inspecting them, or of any Excise Officer, whenever required.

23. Shop-keepers shall be bound to furnish such returns and information as may from time to time be required by the Deputy Commissioner.

24. The shop-keepers shall not keep in their shops, offer for sale, or sell any arrack except the arrack supplied by you; neither shall they keep in their shops, offer for sale, or sell arrack of any other strength than 20° under London proof, or other liquors, without special permission. The arrack kept in the shops, offered for sale, or sold, shall be unadulterated and undiluted. The arrack shall be sold to the public at Rs. 6-6-0 per gallon of 20° under-proof and at proportionate rates for lower strengths.

25. The following stock shall always remain in shops and not be trenched upon :—

	Arrack.	Remarks.
I. At all District Head-quarters	2 Gallons	
II. At all Taluk and Depot Kasabas	1 Gallon	
III. Village shops within five miles from Depot ...	½ ,,	
IV. Village shops more than 5 miles distant from Depot ..	Stock equal to one day's sale for every ten miles from Depot and not less than the stock fixed for shops within five miles of the Depot.	

26. Shop-keepers shall use such measures as may from time to time be prescribed by Government.

27. You shall have such measures tested, stamped and supplied at your own cost.

28. If ordered by the Excise Commissioner, you shall furnish each Depot for the issue of arrack to shop-keepers, with an hydrometer of any pattern prescribed by Government.

29. The shop-keepers shall not sell or give any arrack to any European Non-Commissioned Officer or private soldier, or to any European or Eurasian camp follower, or to any member of the families of any of the aforesaid persons, without the permission in writing of the Commanding Officer, or of some person duly authorised by him in that behalf ; nor to any sailor ; nor to any sepoy, member of the Police Force, or servant of a Railway Company, or an Excise Officer, whilst on duty ; nor to any European vagrant under escort of the Police ; nor to any child under twelve years of age for consumption on the premises ; nor shall they sell any arrack on credit.

30. The Deputy Commissioner may direct that all shops for the sale of arrack on or adjacent to the line of march shall be closed whilst a Regiment or detachment of European or Native soldiers is passing or encamped in the vicinity. Such soldiers may be supplied with arrack by such persons as the Government may select for the purpose, notwithstanding your exclusive privilege. The Government reserve the power to terminate the lease on public grounds, awarding a reasonable compensation to the licensee. The licensee will have no claim to compensation or remission on account of any arrangements which may be made by Government in regard to country Beer or other description of liquor than arrack.

31 Every person employed by you to superintend depôts, or placed in charge of shops shall, before entering upon his employment, execute the engagements prescribed by law. All engagements entered into by persons to be employed by you on the 1st day of 190 , shall be deposited with the Deputy Commissioner within one month from that date or of the date of executing the engagement.

32. If it comes to your knowledge that any person employed by you, in the carriage or sale of Arrack, commits any breach of the Excise Laws or of the engagements entered into by him, it shall be your duty to report the matter to the Deputy Commissioner, and to comply with the directions of the Deputy Commissioner respecting the continued employment of such person.

33. You shall not, during the term of the license, have any interest in the exclusive privilege of vending toddy in any part of the taluk within which your farm is situated, nor permit any person having interest in the exclusive privilege of vending toddy in any part of the taluk, to hold any share or interest in your exclusive privilege of selling arrack. *Nor shall you, during the term of your license, without the written permission of the Excise Commissioner, have any interest, direct or indirect, in any Arrack Farm in any District of the Madras or Bombay Presidency under the British Government, or in any other foreign State or Territory or permit the holder of any such farm to have any such interest in the farm held by you under the license.*

34. You shall be bound to take over any Arrack which may remain as stock-in-hand on the 1st day of July 190 , in the existing depôts or shops in your farm, or any Arrack belonging to the out-going farmers remaining at the Bonded Depôt, paying to

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the old farmers such compensation for the same as may be fixed by the Excise Commissioner.

35 Interest shall be payable upon all moneys due by you at the rate of 6 per cent per annum.

36. In the case of any breach of the conditions of the license either by you or, with your connivance or privity, by any person in your employment, or in the event of your neglecting to open your shops or to carry on the business of your farm with due care and attention, it shall be competent to the Deputy Commissioner to impose upon you a fine not exceeding the sum of Rs. 50 for every such breach or for such neglect, or, at the option of the Deputy Commissioner, to declare the money deposited with him forfeited, and to cancel the license and re-sell the exclusive privilege, or to otherwise dispose of it at your risk, or to place the farm under the management of Government, and all loss thereby caused, together with all losses accruing to Government in consequence of your neglect to carry on your business by opening your shops on the first day of the period of your farm, shall be made good by you. It shall be lawful for the Deputy Commissioner to deduct the amount of all fines imposed under this clause from any sums deposited by you as security for the due performance of the conditions of the license. When a farm is cancelled, the rent for the whole period of the farm shall become due at once.

37. The imposition of a fine, or the forfeiture of deposit, or the cancellation of the license under the last preceding condition, shall not be held to prevent the prosecution of any person for any offence which may be committed against the provisions of the Excise Laws or Rules.

38. Should you be convicted on prosecution before a Magistrate of any offence against the Excise Regulation or other law for the time being in force and relating to the Excise Revenue, it shall be lawful for the Deputy Commissioner to declare your license forfeited.

39. All sums payable by you may be deducted from the amount of your deposit, or recovered by attachment and sale of your property under any law for the time being in force for the recovery of arrears of land revenue.

40. Any sums deducted by the Deputy Commissioner under the powers herein contained from the sum deposited by you as security for the due performance of the contract, shall be replaced by you within fifteen days from the date of the receipt of a notice from the Deputy Commissioner informing you of such deduction having been made.

41. You shall be bound by any additional rules which may, from time to time be prescribed under the Excise Laws now in force, or which may hereafter be enacted, and shall, on requisition by the Deputy Commissioner, or other Officer duly authorized by the Deputy Commissioner, deliver up your license for amendment or for the issue of a fresh license accordingly.

Dated the.....day of.....190

Deputy Commissioner.

COUNTERPART AGREEMENT TO BE EXECUTED BY ARRACK VEND FARMERS.

Having been appointed by the Deputy Commissioner of the District of .....
the renter of the exclusive privilege of selling arrack in the vend farm of.....
.....in the Taluk of
..... from the 1st of July 190 , to
the 30th day of June 190 , I, ...
.....son of.....
.....residing at.....
.....do for myself, my heirs, my legal representatives and assigns, hereby agree with the said Deputy-Commissioner that I will well and truly observe and perform the conditions and stipulations contained in the License No.....
dated the..... day of..... .....190 , issued to me by the said Deputy